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ADMITTED TO THE UNITED STATES
SUPREME COURT BAR (1996)

"A VETERAN OWNED LAW FIRM"

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April 20, 2021

VIA, ELECTRONIC FILINGThe Honorable Jocelyn G. Boyd
Chief Clerk/Executive Director
Public Service Commission of South Carolina

- Re:
- South Carolina Energy Freedom Act (House Bill 3659) Proceeding Related to S.C. Code Ann. Section 58-37-40 and Integrated Resource Plans for Duke Energy Carolinas, LLC and Duke Energy Progress, LLC;
 - **Dockets 2019-224-E and 2019-225-E**
 - **Response to Motion**

Ms. Boyd:

The undersigned are counsel of record for the Carolinas Clean Energy Business Association, ("CCEBA"), in the above-referenced Dockets, and we are responding to Duke Energy Carolinas, LLC's and Duke Energy Progress, LLC's (together as, "Duke") filing of a Motion yesterday in Dockets 2019-224-E and 2019-225-E.

In its filing, Duke acknowledges S.C. Code Ann. Reg. 103-829(A) and the Regulation's requirement that a Motion be filed more than 10 days before the commencement of a Hearing, (in this case, with Duke's filing of a Motion on April 19, 2021, and the commencement of the Hearing beginning on April 26, 2021, Duke's filing is not compliant with the Regulation).

Duke also seeks, on a claim of good cause, to have this Commission allow its Motion filing in contravention of the express requirements of Regulation 103-829(A), and Duke seeks "expedited consideration".

It is entirely improper for Duke, on one hand, to violate the express time requirement of this Commission's Regulation, and on the other hand, to try and constrict and reduce CCEBA and other party's time frame for a response.

Accordingly, CCEBA requests that this Commission schedule Duke's untimely Motion for oral argument at the commencement of the Hearing, scheduled to begin on April 26, 2021, with a contemporaneous response by CCEBA and other parties.

Note, Gudrun Thompson, Esquire as counsel for the SC Coastal Conservation League, Southern Alliance for Clean Energy, Natural Resources Defense Council, Sierra Club and Upstate Forever has authorized us to state that those parties join in this request.

Also note, R. Taylor Speer, Esquire as counsel for Vote Solar, has authorized us to state that his client, also joins in this request.

Finally, we do intend to provide an appropriate written response to Duke's Motion, prior to the commencement of the Hearing. This email is,

Respectfully Submitted,
/s/Richard L. Whitt,
Richard Whitt,
As Counsel for the Carolinas Clean Energy
Business Association,

/s/John D. Burns,
John D. Burns,
As General Counsel for the Carolinas Clean
Energy Business Association,

/s/Benjamin Snowden,
Benjamin Snowden,
As Counsel for the Carolinas Clean Energy
Business Association.

Ltr. to Boyd
April 20, 2021
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RLW/cas

cc: All parties of record in Dockets 2019-224-E and 2019-225-E, *via electronic mail*